

REMARKS

Claims 1-16 are pending in this application. By this Amendment, claims 1-2, 5, 7-13 and 15 are amended. No new matter is added.

In the Office Action, claims 1-6, 8 and 13-16 are rejected under 35 U.S.C. §102(b) over Hyundai (collectively references U-W). Claim 7 is rejected under 35 U.S.C. §103(a) over Hyundai in view of a Business Wire article (reference UU). Claims 9-10 are rejected under 35 U.S.C. §103(a) over Hyundai in view of Business Wire, further in view of Official Notice. Finally, claims 11-12 are rejected under 35 U.S.C. §103(a) over Hyundai in view of a PR Newswire article (reference X). These rejections are respectfully traversed.

The claimed invention is concerned with methods and apparatus for effecting electronic commercial transactions allowing at least one part to be installed on a vehicle on a user-designated installation date. Each of the independent claims recites method steps, means or apparatus that enables searching for user selected parts and searching for at least one candidate facility at which the at least one part could be installed on a user-designated installation date. This feature was originally recited in original claim 6 and is also supported by the specification at, for example, paragraphs [0015], [0016], [0019], [0033], and in particular paragraph [0043].

The collective Hyundai articles are only directed to online auto parts purchasing in which a part can be ordered online and either picked up at a participating Hyundai Dealership or shipped to a customer. Although users and repair shops may obtain parts, there is no provision for scheduling of a user to have the parts installed by a repair shop, let alone the provision of searching for a repair shop that can perform the installation on a user-designated installation date as now recited in the independent claims.

Because Hyundai fails to teach or suggest each and every feature of independent claims 1, 5-13 and 15, these claims and claims dependent therefrom are not anticipated by Hyundai.

The Business Wire and PR Newswire articles fail to overcome the deficiencies of Hyundai with respect to independent claims 6-13 and 15. In particular, the Business Wire articles offers repair information, a form for repair questions, and the ability to schedule automotive service appointments online. However, the article provides no details as to method or structures that achieve the online service appointments. Moreover, there is no teaching or suggestion that a user may have desired parts searched for and have the system and methods search for a candidate facility that can install the desired part on a user-designated installation date as recited in independent claims 6-13 and 15.

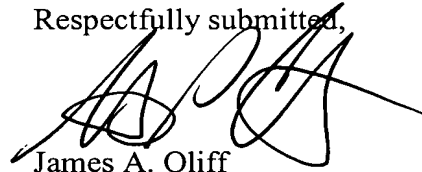
The PR Newswire article discloses several online web services that provide repair literature, technical hotlines, and comprehensive on-site vehicle libraries. However, the PR Newswire article fails to teach or suggest the recited steps or structure that allow a user to designate both parts and a user-designated installation date and have the system/method search for at least one candidate facility in which the designated part can be installed on the user-designated installation date.

Accordingly, independent claims 6-13 and 15 and the claims dependent there from are neither anticipated nor obvious in light of these references. Withdrawal of the outstanding rejections is respectfully requested.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the pending claims are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff
Registration No. 27,075

Stephen P. Catlin
Registration No. 36,101

JAO:SPC/jfb

Date: June 14, 2004

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

<p>DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461</p>
--